

FILED UNDER SEAL PURSUANT TO PROTECTIVE ORDER

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PERSONALIZED MEDIA COMMUNICATIONS, LLC	
Plaintiff,	
v.	
GOOGLE LLC.	Case No. 2:19-cv-90-JRG LEAD CASE
AKAMAI TECHNOLOGIES, INC.	Case No. 2:19-cv-89-JRG
NETFLIX, INC.	Case No. 2:19-cv-91-JRG
Defendants.	

**DECLARATION OF TAMAR LUSZTIG IN OPPOSITION
TO GOOGLE’S MOTION TO DISMISS OR TRANSFER**

I, Tamar Lusztig, declare as follows:

1. I am an associate with the law firm Susman Godfrey L.L.P., which represents Personalized Media Communications, LLC in this matter. I am admitted to practice in this Court. I have personal, first-hand knowledge of the matters set forth herein, and if called to testify as a witness, could and would testify competently thereto.

2. Exhibit 1 is a true and correct copy of excerpts of the Rule 30(b)(6) deposition given by Google (Keith McCallion) in *Dynamic Data Technologies, LLC v. Google LLC and YouTube LLC*, No. 2:18-CV-466-RWS (Eastern District of Texas), dated May 24, 2019 (“Google Dep. (McCallion)”).

3. Exhibit 2 is a true and correct copy of excerpts of the Rule 30(b)(6) deposition given by Google (Lee Livingston) in *Dynamic Data Technologies, LLC v. Google LLC and YouTube*

LLC, No. 2:18-CV-466-RWS (Eastern District of Texas), dated May 15, 2019 (“Google Dep. (Livingston)”).

4. Exhibit 3 is a true and correct copy of a letter dated July 23, 2019 from counsel for Google to counsel for PMC.

5. Exhibit 4 is a true and correct copy of GOOG-PMC-00003671, produced by Google in this case.

6. Exhibit 5 is a true and correct copy of GOOG-PMC-00003672, produced by Google in this case.

7. Exhibit 6 is a true and correct copy of GOOG-PMC-00003670, produced by Google in this case.

8. Exhibit 7 is a true and correct copy of GOOG-PMC-00003673, produced by Google in this case.

9. Exhibit 8 is a true and correct copy of Exhibit 1 to the Google Dep. (Livingston), produced by Google as GOOG-PMC-00002573-698 in this case.

10. Exhibit 9 is a true and correct copy of Exhibit 2 to the Google Dep. (Livingston), produced by Google as GOOG-PMC-00002425-546 in this case.

11. Exhibit 10 is a true and correct copy of Exhibit 8 to the Google Dep. (Livingston), produced by Google as GOOG-PMC-00001500-03 in this case.

12. Exhibit 11 is a true and correct copy of a letter dated June 10, 2019 from counsel for PMC to counsel for Google.

13. Exhibit 12 is a true and correct copy of search results from Hardin County, Texas public tax records, available at esearch.hardin-cad.org

14. Exhibit 13 is a true and correct copy of an e-mail dated June 18, 2019 from counsel for PMC to counsel for Google.

15. Exhibit 14 is a true and correct copy of an email exchange between counsel for PMC and counsel for Google, dated June 17-July 23, 2019.

16. Exhibit 15 is a true and correct copy of Exhibit 6 to the Google Dep. (Livingston), produced by Google as GOOG-PMC-00001587-730 in this case.

17. Exhibit 16 is a true and correct copy of Exhibit 7 to the Google Dep. (Livingston), produced by Google as GOOG-PMC-00002143-72 in this case.

18. Exhibit 17 is a true and correct copy of Exhibit 4 to the Google Dep. (Pandian), produced by Google as GOOG-PMC-00003710-65 in this case.

19. Exhibit 18 is a true and correct copy of excerpts of the Rule 30(b)(6) deposition given by Google (Prem Pandian) in *Dynamic Data Technologies, LLC v. Google LLC and YouTube LLC*, No. 2:18-CV-466-RWS (Eastern District of Texas), dated May 10, 2019 (“Google Dep. (Pandian)”).

20. Exhibit 19 is a true and correct copy of GOOG-PMC-00001562-64, produced by Google in this case.

21. Exhibit 20 is a true and correct copy of GOOG-PMC-00001566-67, produced by Google in this case.

22. Exhibit 21 is a true and correct copy of Google’s Initial and Additional Disclosures, dated August 1, 2019.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: August 16, 2019

Respectfully submitted,

/s/ Tamar Lusztig
Tamar Lusztig

Certificate of Service

I certify that on August 16, 2019, I electronically served the foregoing on all counsel of record via secure file transfer.

/s/ J. Patrick Redmon
J. Patrick Redmon

Certificate of Authorization to File Under Seal

I hereby certify that this document is being filed under seal pursuant to the Court's authorization in the Protective Order entered in this matter.

/s/ J. Patrick Redmon
J. Patrick Redmon